

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 97-6786**

---

WILLIAM LEWIS SMITH, JR.,

Plaintiff - Appellant,

versus

RICHARD LANHAM, Commissioner of the Department  
of Correction and Correctional Services;  
RONALD MOATS, Warden; WILLIAM SMITH, Warden,

Defendants - Appellees.

---

Appeal from the United States District Court for the District of  
Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CA-  
96-3600-PJM)

---

Submitted: March 31, 1998

Decided: April 28, 1998

---

Before MURNAGHAN and MICHAEL, Circuit Judges, and PHILLIPS, Senior  
Circuit Judge.

---

Affirmed by unpublished per curiam opinion.

---

Christina Northern, Silver Spring, Maryland, for Appellant. J.  
Joseph Curran, Jr., Attorney General, Wendy A. Kronmiller,  
Assistant Attorney General, Baltimore, Maryland, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

William Lewis Smith appeals from the district court's dismissal of his 42 U.S.C. § 1983 (1994) complaint for failure to state a claim upon which relief could be granted. See Fed. R. Civ. P. 12(b)(6). Smith alleges that the Circuit Court for Prince George's County violated his constitutional rights when, without notice, the court issued an amended commitment order in 1985, and that the denial of his Motion to Correct an Illegal Sentence without a hearing violated his due process and equal protection rights. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court as to those claims. See Smith v. Lanham, No. CA-96-3600-PJM (D. Md. May 7, 1997).

Appellant's contention that the Defendants were deliberately indifferent to his serious medical needs in violation of the Eighth Amendment was not presented in the district court, and therefore, it is not reviewable by this Court. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993).

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid in the decisional process.

AFFIRMED